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**From:** Lisanne Freese [ ]  
**Sent:** Monday, August 09, 2004 6:52 PM  
**To:** ADMIN-S&E  
**Subject:** Don't undermine NEPA protections

August 09, 2004

Department of Homeland Security  
Environmental Planning, Office of Safety and Environment Washington, D.C. 20528

Dear Secretary Ridge and Homeland Security staff,

Firstly, I appreciate the hard job you have ahead of you and the work you've been doing to protect all Americans from terrorists.

However, I oppose the Department of Homeland Security's current proposal for implementing the National Environmental Policy Act. Simply because the proposal allows too many exclusions from NEPA and may hide government activities that have previously operated in the public eye.

As the Department of Homeland Security works to establishing its policy for complying with the National Environmental Policy Act, I ask you to remember that all Americans have the right to know about pollution and where it is occurring.

When a particular activity could damage the environment, NEPA requires public notice, public involvement and an analysis of the action for potentially harmful consequences.

The Department of Homeland Security has 22 federal agencies under its authority and has tremendous reach over activities that could affect our environment, such as Coast Guard activities in our nation's waters or Border Patrol activities in the wildlands of the southwest.

Instead of undermining the law by creating new exceptions (categorical exclusions) to NEPA that would allow agencies to carry out activities likely to harm the environment and wildlife habitat without ever having to let the public know or evaluate the consequences, I would like to see your agency working side-by-side with environmental groups to ensure that in the rush to protect our borders, our natural heritage does not get trampled.

The proposal to limit public information by directly authorizing the department to withhold any information it deems "sensitive" smacks highly of Big Brother and is not the direction our great country of freedom needs to head in.

When people live near a nuclear power plant or a gas pipeline, they deserve access to safety information about it. People moving into a new home need to know if it was built on top of a Superfund site!

One of NEPA's purposes is to allow public review of agency actions that may adversely affect the environment. The proposal would impede that purpose with its overly broad use of categorical exclusions.

While categorical exclusions are useful in some cases, some proposed exclusions involve activities that could cause significant harm. For example, construction of fences and barriers by the Border Patrol will impede wildlife migration and degrade wilderness values, while ground patrols in border areas could destroy or damage critical habitat for endangered species.

Some proposed categorical exclusions, such as logging and disposal of waste and hazardous material, should be completely abandoned, while many other items should be narrowed in

scope.

Although I think the Department of Homeland Security is a good thing, I am worried that too much important environmental information will be deemed "classified." Information, such as analysis of a gas pipeline's potential for leaks and explosions, is critical to the public's ability to protect itself and should not be withheld. The proposal should be more specific so as to minimize withheld information and maximize transparency.

The proposal goes far beyond what's necessary to protect our nation, and risks destroying the very democratic ideals that the Department of Homeland Security was created to protect.

I urge you to limit the use of categorical exclusions and the withholding of information as narrowly as possible.

Sincerely,

Lisanne Freese